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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/973,299

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Mohamed Khalil

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6016

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EXAMINER

NGUYEN, PHUONGCHAU BA

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,299

Applicant(s)

KHALIL ET AL.

Examiner

Phuongchau Ba Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2-14-2.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

1. Claims 2-3, 15-16 are objected to because of the following informalities: “.” should be deleted. The column should be used to list a plurality of items or steps. There is no list in claims 2-3, 15-16. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 15-16, 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 15 recites the limitation "said system handoff" in line 4. Claim 16 recites the limitation "said system handoff" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 is vague and indefinite because it is not sure when the mobile node moves to the second network. As for its parent claim 18 indicated that the mobile node moves to the second network after the transmission of the registration request.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5, 8-14, 17, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Flynn (6,892,069).

Regarding claim 1,

Flynn (6,892,069) discloses a method for registration of a mobile node on a packet-based communication network (IP network) comprising the steps of:

receiving a care-of address for said mobile node, at a home network, under a first circumstance from a server computer (Foreign Agent) on a first network, wherein said care-of address is an expanded address identifying the network address location for said mobile node (col.2, lines 9-43); and

updating the mobile node's registration address on the home network with said care-of address (col.2, lines 33-43).

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Regarding claim 2, Flynn discloses requesting said care-of address (foreign care of address) from a serving mobility manager (Foreign Agent) on the first network (foreign network) (col.2, lines 9-43).

Regarding claim 3, Flynn discloses allocating said mobile node care-of address on the first network (foreign network) after said request step (col.2, lines 9-43).

Regarding claim 4, Flynn discloses wherein the care-of address is transmitted through the serving mobility manager (Foreign Agent) on the first network (Foreign Network) to said home network (col.2, lines 9-43).

Regarding claim 5, Flynn discloses wherein the care-of address is obtained from a pool of expanded addresses (temporary care of address) provided to said serving mobility manager (foreign agent) on the first network (foreign network) (col.2, lines 9-21).

Regarding claim 8, Flynn discloses wherein the care-of address is allocated by an AAA server computer (Foreign Agent) on said first network (foreign network)(col.2, lines 9-43).

Regarding claim 9,

Flynn discloses a method of performing a mobile node hand-off on a packet-based communication network, comprising the steps of:

responding at a second network (foreign network) to a request for said mobile hand-off from a first network (home network), said response including a care-of address, said care-of address having an expanded address capable of identifying the network address location for the mobile node (col.2, lines 9-43); and

updating the care-of address for the mobile node on the first network (col.2, lines 33-43).

Regarding claim 10, Flynn discloses wherein the mobile node receives said care-of address from a serving mobility manager (foreign agent, col.9, lines 9-43).

Regarding claims 11-14, Flynn discloses foreign care of address allocated from a foreign agent in the roaming/foreign/current network to a mobile node in home network that is other than its home network for roaming, emphasis added (col.2, lines 9-43).

Regarding claim 17,

Flynn discloses a method of registering a mobile node on a packet-based communication network comprising the steps of:

transmitting a registration request from a first network (home network) to a server computer (foreign agent) on a second network (foreign network) (col.2, lines 9-43);

allocating a care-of address from said server computer (foreign agent) on said second network (foreign network), said care-of address having an expanded address for identifying a network address location of said mobile node (col.2, lines 9-43),

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transmitting said care-of address to said first network (home network)(col.2, line 9-43).

Regarding claim 20, Flynn discloses wherein the care-of address is transmitted through an AAA server computer (foreign agent) to said first network (home network)(col.2, lines 9-43).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn (6,892,069) in view of Magret (6,804,221).

Regarding claim 6,

Flynn discloses wherein said first network is a foreign network and all the claimed limitations, except said first circumstance is a power-up performed by said mobile node on said foreign network.

However, in the same field of endeavor, Magret (6,804,221) discloses said first circumstance is a power-up performed by said mobile node on said foreign network (col.2, lines 54-67, col.3, lines 1-7). Therefore, it would have been obvious to an artisan to apply Marget's teaching to Flynn's system with the motivation being to identify foreign agent or obtain a care of address.

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Regarding claim 7,

Flynn discloses wherein said first network is a foreign sub-network located on said home network and all the claimed limitations, except said first circumstance is a power-up performed by said mobile node on said foreign network.

However, in the same field of endeavor, Magret (6,804,221) discloses said first circumstance is a power-up performed by said mobile node on said foreign sub-network. (col.2, lines 54-67, col.3, lines 1-7). Therefore, it would have been obvious to an artisan to apply Marget's teaching to Flynn's system with the motivation being to identify foreign agent or obtain a care of address.

8. Claims 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn (6,892,069) in view of Lemilainen (6,681,259)

Regarding claim 15,

Flynn discloses all the claimed limitations, except moving the mobile node to said second network after requesting said system hand-off.

However, in the same field of endeavor, Lemilainen (6,681,259) discloses moving the mobile node to said second network after requesting said system hand-off (col.13, lines 25-42). Therefore, it would have been obvious to an artisan to apply Lemilainen's teaching to Flynn's system with the motivation being to provide the second mobile terminal to transmit using the same IP address of the first mobile terminal without know the data network and address used by the first mobile terminal.

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Regarding claim 18,

Flynn discloses all the claimed limitations, except wherein the mobile node moves to the second network (foreign network) after the transmission of the registration request.

However, in the same field of endeavor, Lemilainen (6,681,259) discloses wherein the mobile node moves to the second network (foreign network) after the transmission of the registration request (col.13, lines 25-42). Therefore, it would have been obvious to an artisan to apply Lemilainen's teaching to Flynn's system with the motivation being to provide the second mobile terminal to transmit using the same IP address of the first mobile terminal without know the data network and address used by the first mobile terminal.

9. Claims 16, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn (6,892,069) in view of Gudat (6,771,609).

Regarding claim 16,

Flynn discloses all the claimed limitations, except moving the mobile node to said second network before requesting said system hand-off.

However, in the same field of endeavor, Gudat (6,771,609) discloses moving the mobile node to said second network before requesting said system hand-off (col.6, lines 22-30). Therefore, it would have been obvious to an artisan to apply Gudat's teaching to Flynn's system with the motivation being to obtain co-located care of address using

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service DHCP and provide the ability to change the routing of packets destined to any host to be delivered to anywhere in the Internet.

Regarding claim 19,

Flynn discloses all the claimed limitations, except wherein the mobile node moves to the second network before the transmission of the registration request.

However, in the same field of endeavor, Gudat (6,771,609) discloses wherein the mobile node moves to the second network before the transmission of the registration request (col.6, lines 22-30). Therefore, it would have been obvious to an artisan to apply Gudat's teaching to Flynn's system with the motivation being to obtain co-located care of address using service DHCP and provide the ability to change the routing of packets destined to any host to be delivered to anywhere in the Internet.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 571-272-3148. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PN
Phuongchau Ba Nguyen
Examiner
Art Unit 2665

**DUCHO
PRIMARY EXAMINER**

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10-3-05